

1 BEFORE THE
2 POLLUTION CONTROL HEARINGS BOARD
 STATE OF WASHINGTON

3 IN THE MATTER OF)
4 CROWN ZELLERBACH CORPORATION)
5 (Port Townsend Unbleached)
6 Kraft Mill),)

7 Appellant,)
8)

9 v.)
10)

11 STATE OF WASHINGTON,)
12 DEPARTMENT OF ECOLOGY,)
13)

14 Respondent.)
15)

PCHB No. 969

ORDER GRANTING MOTION
FOR SUMMARY JUDGMENT

16 Respondent Department of Ecology's Motion for Summary Judgment
17 for an order affirming its administrative order DE 75-225, having come on
18 regularly before the Pollution Control Hearings Board pursuant to
notice on April 2, 1976, and respondent appearing and being represented
by Charles B. Roe, Jr., Senior Assistant Attorney General and Charles
W. Lean, Assistant Attorney General, and appellant appearing and being
represented by Burroughs B. Anderson and John M. Cary of Perkins, Coie,
Stone, Olsen and Williams, attorneys, and the Board having considered

1 the Motion, the supporting Affidavit and exhibits thereto, and the
2 Memorandum in Support thereto, and having considered the opposing
3 Affidavits and exhibits, the Notice of Appeal and appellant's Memorandum
4 opposing the Motion, and having heard the arguments of counsel, and
5 being fully advised; and the Board finding that except for what is "best
6 practicable control technology currently available" (which is not a
7 factual issue now before this Board and which we do not consider) there
8 are no material facts in dispute, now therefore,

9 IT IS ORDERED that the Motion of respondent be and the same is
10 hereby granted.

11 IT IS FURTHER ORDERED that respondent's administrative order
12 DE 75-225 be affirmed and the appeal dismissed.

13 DONE at Lacey, Washington, this sixth day of April, 1976.

14 POLLUTION CONTROL HEARINGS BOARD

15 
16 CHRIS SMITH, Chairman

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18 W. A. GISSBERG, Member

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20 WALT WOODWARD, Member

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